IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO. 4418 of 1998

Between:

Pitani Suryanarayana, S/o Sri Second Sathiraju,
Tattaramudi (V), Invalli (M),
E.G.Dist.

..... PETITIONER

AND

1 State of A.P., Rep. by District Collector,
Kakinda, E.G.Dist.
2 Revenue Divisional Officer
Amalapuram, E.G.Dsit.
3 Mandal Revenue Officer,
Ainavalli (M), Inavalli,
E.G.Dist.
4 Devi Ganesh Theatre, Rep. by its Managing Partner Mandaguditi

Narayana Swamy, S/o Chandranna, Inavalli, E.G.Dist

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an order, direction or Writ particularly one in the nature of Writ of Mandamus or any other appropriate writ declaring the action of the 2nd & 3rd Respondent in not taking action against the 4th Respondent for illegal construction violating Cinematography Rules and also misuse of loud speakers in the area.

Counsel for the Petitioner:MR.G.VIDYASAGAR

Counsel for the Respondent Nos.1 to 3:G.P. FOR REVENUE

Counsel for the Respondent No. 4 : MR.I.SREE RAMA MURTHY

The Court made the following Order:

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THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 4418 of 1998

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ORDER:

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The petitioner seeks a Writ of Mandamus declaring the action of respondents 2 and 3 in not taking action against the 4th respondent for violating Cinematography Rules and also causing noise pollution in the area by using loud speakers, as illegal and arbitrary.

The only grievance of the petitioner is that even though he made a representation dated 6.1.1998 to respondents 2 and 3 complaining illegal construction of shopping complex being under taken by the 4th respondent, who is the Managing Partner of Devi Ganesh theatre, and also causing noise pollution in the area by using loud speakers in the morning hours between 10.00 A.M. and 12 Noon, no action had been taken on the representation as yet.

Though the writ petition was admitted on 18.2.1998, this Court declined to pass any interim order. Now after lapse of about six years, I do not think that the cause in this writ petition survives requiring any further adjudication.

The writ petition is accordingly dismissed. No costs.

8.12.2004

Gsn.

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To

1 The District Collector, East Godavari District,
State of A.P., Kakinda, E.G.Dist.
2 The Revenue Divisional Officer
Amalapuram, E.G.Dsit.
3 The Mandal Revenue Officer,
Ainavalli (M), Inavalli,
E.G.Dist.

4. Two CCs to G.P. for Revenue, A.P. High Court Buildings, Hyderabad

(OUT)

5. Two CD copies.

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 4418 of 1998

8.12.2004

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